

From: superba
To: Renate Hesse
Date: 11/23/01 9:38am
Subject: Written Comments on Microsoft Antitrust Settlement

Renate Hesse
Trial Attorney, Antitrust Division
U.S. Department of Justice
601 D. Street, NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse:

This email contains my comments on the subject case settlement and urges you to take further action on behalf of a small group of Microsoft victims too weak to take legal action.

My Comment

This case was instigated by several companies that were outsold in a free market, Netscape, Sun Microsystems, and AOL to mention a few. The original competing product, the Netscape browser, is extremely weak compared to the Microsoft product, Internet Explorer. I have first hand knowledge that at least one of the companies mentioned above uses predatory marketing practices just as bad or worse than those alleged for Microsoft, that company is Sun. AOL also uses sales practices that involve "give away" product to get on a user's computer then constantly attempts to place its own products on that computer.

In my lifetime there have been several user created monopolies, IBM, AT&T, to mention 2. I don't feel that it is the charter of the Federal and State governments to retard such monopolies especially when undue assistance is given to inferior products just to help their providers stay viable.

My Urgent Request for DOJ to add to the Settlement

I am part of a group of systems engineers that has earned Microsoft certifications of different titles and levels. I worked, studied, invested in equipment, invested my time, paid hard earned money for training, and paid for testing to get my certifications. In some cases companies paid the costs to do this for their employees, but not so in my case. Therefore, I look upon the certifications as hard earned, worthwhile, and something I strived for and achieved.

My certifications included: Microsoft Certified Professional, MCP; Microsoft Certified Professional plus Internet, MCP + I; Microsoft Certified Systems Engineer, MCSE; and Microsoft Certified Trainer, MCT.

Microsoft has a practice of "retiring" the exams used to qualify for these certifications. Their stated motivation is to "keep the certified persons up to date". Coincidentally, doing so also parallels new product introductions; the theory being to have the certified persons help to introduce and sell new product and increase Microsoft's sales.

I strongly object to Microsoft's practice of doing this. It might be analogous to your law school notifying you that their law degree programs have been updated and if you don't return and take the updated courses, your degree will be cancelled. Of course, that's not going to happen, but Microsoft does it.

Microsoft relented on the last generation of certifications for the NT 4 products and said it will allow the certifications to continue with a qualified title such as "MCSE NT 4".

I lost all my certifications except MCP due to the retirement of (1) course in May 2001. I feel that Microsoft was wrong to cancel my certifications just because it retired an exam. The truth is that the exam, Internet Information Server version 3, was the only Internet Information Server exam available when I was testing in 1997. A newer version came along later but I saw no reason to take it.

Please add the requirement to the settlement for Microsoft not to cancel exams but rather to classify them as "MCSE NT 4" and extend that practice to all the old certifications. Even adding a date would not be objectional, but the current practice makes our resumes incorrect, or appear to be so, due to Microsoft's onerous practice.

Thank you for your patience.

Sincerely,

Jim Jordan
aka James T. Jordan